

June 19, 2013

BY ECFS

Marlene H. Dortch, Esq.
Secretary
Office of the Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: *Applications of AT&T Inc., Cellco Partnership d/b/a Verizon Wireless, Grain Spectrum, LLC, and Grain Spectrum II, LLC for Consent to Assign Licenses and Grant Long-Term De Facto Transfer Spectrum Leasing Arrangements, WT Dkt No. 13-56, Request for Supplement to Second Protective Order*

Dear Ms. Dortch:

AT&T Inc. (collectively with its subsidiaries and affiliates, “AT&T”) requests that the Commission add an additional category of information to Appendix A to the Second Protective Order issued on June 13, 2013 in the above-referenced proceeding.¹ Specifically, AT&T requests that the Commission add the following category: Detailed information describing or illustrating how a Submitting Party analyzes its competitors, including sources and methods used in these analyses, any limits on use of these analyses or data, and how such analyses or data are used. The Commission has provided the same level of protection to this category of information in other transactional proceedings,² and AT&T may include this type of information in its responses to the Commission’s General Information Request for AT&T dated June 13, 2013.³

¹ See *Applications of AT&T Inc., Cellco Partnership d/b/a Verizon Wireless, Grain Spectrum, LLC, and Grain Spectrum II, LLC for Consent to Assign Licenses and Grant Long-Term De Facto Transfer Spectrum Leasing Arrangements*, WT Dkt No. 13-56, Second Protective Order, DA 13-1367 (rel. June 13, 2013) (“Second Protective Order”).

² *Applications of AT&T Inc. and Atlantic Tele-Network, Inc. for Consent to Transfer Control and Assign Licenses and Authorizations*, WT Dkt No. 13-54, Second Protective Order (Revised), DA 13-1310, App. A (rel. June 17, 2013); *Applications of AT&T Inc. and Deutsche Telekom AG for Consent to Assign or Transfer Control of Licenses and Authorizations*, Second Protective Order (Revised), 26 FCC Rcd. 8801, 8809, App. A (WTB 2011); *Applications of AT&T Mobility Spectrum LLC and Qualcomm Incorporated for Consent to Assign or Transfer Control of Lower 700 MHz Band Licenses*, Second Protective Order (Revised), 26 FCC Rcd. 8791, 8798, App. A

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AT&T is still preparing its responses to the General Information Request. At this point, it does not know with certainty what highly confidential information will be included in its submissions, but it is likely that AT&T's submissions will include highly confidential information of the type described herein. Request 1.e. seeks all plans, analyses, and reports discussing AT&T's plans to deploy its 700 MHz and AWS-1 and the efforts of other AWS-1 and 700 MHz licensees in deploying their spectrum. In response to this request, AT&T may produce documents and information discussing AT&T's analyses of present and future competition with respect to spectrum use and LTE mobile broadband services, network coverage, and performance; sensitive analyses of other providers, including their spectrum usage and deployment; and provider-by-provider analyses discussing the competitive significance of various competitors to AT&T with respect to their deployment efforts. In addition, AT&T's responses may reveal what information AT&T collects about its competitors and how it uses these data.

Materials related to competitive data and analyses, including analyses of competitors, are among AT&T's most sensitive information. It is critically important that such information be shielded effectively from public disclosure, particularly disclosure to these very same companies. Disclosure would allow competitors to react to this information in their own competitive analyses, and business and other strategies, giving them an unfair competitive advantage. Accordingly, AT&T requests that the Commission amend Appendix A of the Second Protective Order to cover the foregoing information.

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(WTB 2011); *Applications for the Transfer of Control of Licenses and Authorizations from Nextel Communications, Inc. and Its Subsidiaries to Sprint Corporation*, Order Adopting Second Protective Order, 20 FCC Rcd. 9280, 9281 ¶ 4 (WTB 2005).

³ *Applications of AT&T Inc., Cellco Partnership d/b/a Verizon Wireless, Grain Spectrum, LLC, and Grain Spectrum II, LLC for Consent to Assign Licenses and Grant Long-Term De Facto Transfer Spectrum Leasing Arrangements*, WT Dkt No. 13-56, General Information Request for AT&T (June 13, 2013). AT&T is still preparing its responses to the General Information Request. Thus, AT&T is not making any definitive representations at this time as to what will or will not be included in its submissions.

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Respectfully submitted,

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